

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**2018 BUGATTI CHIRON
(VIN#VF9SP3V34JM795083),**

Defendants,

and

KEVIN THOBAS & GOLDEN EXOTICS LLC,

Claimants.

CIVIL No. 23-1392 (MDM)

MINUTE

On September 25, 2024, at 9:00AM, the case was called for a Fourth Settlement Conference in the virtual chambers of U.S. Magistrate Judge Marshal D. Morgan. AUSA Myriam Y. Fernández-González appeared on behalf of the plaintiff and Berwin Cohen, Jonathan Edderai and Natalia Eugenia Del Nido-Rodríguez appeared on behalf of the *in-rem* defendant and the claimants. Also present during the conference was Ms. Karen Kuhn, Associate Chief Counsel for CBP.

The parties informed that the government has delivered some maintenance information to the claimants regarding the care given to the *in rem* defendant. The parties also informed that they have exchanged draft language related to an envisioned constructive seizure agreement that would allow the claimant to make use of, and maintain, the Bugatti under certain restrictions. The Court took the time to go through each of the sticking points in the agreement and assisted the parties in working through those differences. In the end, the parties were left to continue negotiating the details of the agreement and then report back to the Court. The parties were advised to file the final agreement under seal so that the Court can assist in enforcing its terms and conditions.

Because the constructive seizure agreement is only a partial and temporary settlement, the parties were advised that a discovery schedule must be developed. Accordingly, the Court sent to Mr. Cohen and Ms. Fernández a blank draft of the discovery timetable used by the undersigned in scheduling discovery. The parties were advised to fill out the chart and return it to the Court.

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Once the parties submit the proposed discovery timetable, which shall not be later than Friday, October 4, 2024, the Court will enter an order finally scheduling discovery.

In San Juan, Puerto Rico, this 25th day of September 2024.

s/Marshal D. Morgan
MARSHAL D. MORGAN
United States Magistrate Judge

Conference began at 9:12AM
Conference ended at 12:10PM